

Prior law provided that an inmate shall submit to blood and saliva testing for an infectious disease when the inmate is involved in an incident in which another person is exposed to an infectious disease by the throwing of feces, urine, blood, saliva, any form of human waste, or bodily fluid on that other person.

New law retains prior law and adds incidents of biting, spitting or other forms of contact, which could cause another to be exposed, as further reasons to subject an incarcerated prisoner to testing for an infectious disease.

Prior law provided that the person exposed to an infectious disease incident shall notify certain authority by affidavit and shall be subject to penalty for false swearing.

New law changes prior law by changing the reporting of the incident from a mandatory requirement to a permissive requirement. Also removes the provision that the reporting is subject to penalty for a false swearing.

New law further provides that a witness to such an incident may report the incident by affidavit.

Effective August 15, 2010.

(Amends R.S. 15:739(A) and (C))